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APERTO NETWORKS, INC.
Gibraltar Drive
Milpitas, CA 95035

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OFFICE OF PETITIONS

June 1, 2010

VIA FAX (571-273-6500)

United States Patent and Trademark Office
P.O. Box 979070
St. Louis, MO 63197-9000

Attention: Maintenance Fee

Dear Sirs/Mesdames:

Re: Aperto Networks, Inc. (the "**Company**") – Change of Entity Status and Payment of
Deficiency Fees
Patent No.: 7,366,133 with corresponding Application No.: 09/620,826 (the "**Patent**")

We confirm that the Company is the registered assignee of the Patent. The Company had unintentionally applied for registration of the Patent under small entity status and is hereby applying to change the status of the Patent to large entity status. The Company paid the following fees with respect to the Patent under small entity status:

- (a) \$355.00 with respect to filing fees as a small entity, rather than \$1,610.00 for filing fees as a large entity;
- (b) \$65.00 as Oath Surcharge fee as a small entity, rather than \$130.00 for Oath Surcharge fee as a large entity;
- (c) \$280.00 as Excess Independent Claims fee as a small entity, rather than \$1,540.00 (\$220.00 x 7) for such fee as a large entity;
- (d) \$351.00 as fee for Claims in Excess of 20 as a small entity, rather than \$2,028.00 (\$52.00 x 39) for such fee as a large entity;
- (e) \$55.00 as 1st Extension of Time fee as a small entity, rather than \$130.00 for such fee as a large entity;
- (f) \$400.00 as fee for Additional Independent Claims as a small entity, rather than \$880.00 (\$220.00 x 4) for such fee as a large entity;
- (g) \$60.00 as fee for 2nd Extension of Time as a small entity, rather than \$130.00 for

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such fee as a large entity; and

- (h) \$720.00 as Issue fee as a small entity, rather than \$1,510.00 for such fee as a large entity.

Accordingly, we enclose a completed Credit Card Payment Form for payment of the aggregate deficiency fee with respect to this application in the amount of **\$5,672.00**. We confirm that the aggregate deficiency fee enclosed is broken down as follows:

- (i) \$1,255.00.00 as the deficiency with respect to the filing fees;
- (j) \$65.00 as deficiency with respect to Oath Surcharge fee;
- (k) \$1,260.00 as deficiency with respect to Excess Independent Claims fee;
- (l) \$1,677.00 as deficiency with respect to fee for Claims in Excess of 20;
- (m) \$75.00 as deficiency with respect to 1st Extension of Time fee;
- (n) \$480.00 as deficiency with respect to fee for Additional Independent Claims;
- (o) \$70.00 as deficiency with respect to fee for 2nd Extension of Time; and
- (p) \$790.00 as deficiency with respect to Issue fee.

Please process our request as soon as possible and provide to us written confirmation of the change of status to large entity status with respect to the Patent . If you have any questions or require further information, please contact us.

Yours truly,

APERTO NETWORKS, INC.

per:


Dave Gelvin

Enclosures